

## **REMARKS**

### **I. Status of Application**

By the present Amendment, Applicant is canceling rejected claims 1-12 and 15 without prejudice or disclaimer. Claims 13, 14, 16 and 17 are all the claims pending in the application. Claims 1-12 and 15 presently stand rejected. Claims 13, 14, 16 and 17 are objected to as being dependent upon a rejected base claim, but the Examiner has indicated that these claims would be allowable if rewritten in independent form.

### **II. Formalities**

Applicant thanks the Examiner for indicating that the drawings filed on February 23, 2003 have been accepted.

### **III. Allowable Subject Matter**

The Examiner has indicated that claims 13, 14, 16 and 17 would be allowable if rewritten in independent form. By the present Amendment, Applicant has rewritten claims 13 and 16 in independent form. Further, claims 14 and 17 are patentable *at least* by virtue of their dependency on allowable claims 13 and 16, respectively. Accordingly, Applicant submits that the present application is in a condition for immediate allowance.

### **IV. Claim Rejections Under 35 U.S.C. § 102**

The Examiner has rejected claims 1 and 9 under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent Publication No. 2002/0105678 to Shiraiwa (hereinafter “Shiraiwa”). Applicant respectfully traverses these rejections.

Nevertheless, without conceding to the merits of the Examiner's rejections, Applicant has canceled claims 1 and 9 without prejudice or disclaimer and, therefore, the Examiner's rejections with respect to claims 1 and 9 are now moot.

**V. Claim Rejections Under 35 U.S.C. §103**

The Examiner has rejected claims 2, 3, 10 and 11 under 35 U.S.C. §103(a) as allegedly being unpatentable over Shiraiwa and further in view of U.S. Patent Publication 2002/0075510 to Martinez (hereinafter "Martinez"). Claims 4, 5 and 12 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shiraiwa and further in view of U.S. Patent No. 5,995,718 to Hiraike et al. (hereinafter "Hiraike"). Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shiraiwa, in view of Martinez, and further in view of U.S. Patent Publication No. 2004/0169880 to Nakanishi et al. (hereinafter "Nakanishi"). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shiraiwa, in view of Hiraike, and further in view of U.S. Patent Publication No. 2005/0286466 to Tagg et al. (hereinafter "Tagg"). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shiraiwa, in view of Martinez, in view of Nakanishi, and further in view of U.S. Patent No. 5,799,206 to Kitigawa et al. (hereinafter "Kitigawa"). Applicant respectfully traverses all of these rejections.

Nevertheless, without conceding to the merits of the Examiner's rejections, Applicant has canceled claims 2-8, 10-12 and 15 without prejudice or disclaimer and, therefore, the Examiner's rejections with respect to claims 2-8, 10-12 and 15 are now moot.

**VI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Andrew J. Taska /

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

\_\_\_\_\_  
Andrew J. Taska  
Registration No. 54,666

Date: March 11, 2009